

**ENTERED**

July 02, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

WCW HOUSTON PROPERTIES, LLC,

Plaintiff,

VS.

DALIO HOLDINGS I, LLC, *et al*,

Defendants.

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CIVIL ACTION NO. 4:18-CV-02124

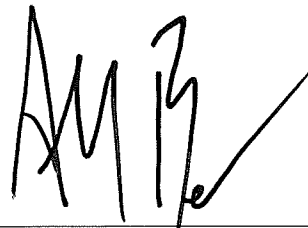
**ORDER**

Before the Court is Plaintiff's Application for Temporary Restraining Order ("TRO") and Preliminary Injunction (Doc. #10), Defendant's Response (Doc. #16), and Plaintiff's Reply (Doc. #17). Plaintiff filed this Motion concerning Defendant's pending foreclosure of real property. Defendant holds the senior lien on the property at issue and a foreclosure is noticed for July 3, 2018. Plaintiff, a secondary lien holder, does not request the Court stop the foreclosure, nor does Plaintiff contend whether Defendant has the legal right to foreclose on the real property. Rather, Plaintiff takes issue with how the auction might be conducted and asks the Court to manage the auction proceedings and proceeds therefrom. Beyond Plaintiff's speculation about the monetary harm it might incur if the bidding process is not favorable for it, Plaintiff has not demonstrated immediate irreparable harm exists. Neither has Plaintiff demonstrated a likelihood of success on the merits. Accordingly, after considering the arguments and applicable law, Plaintiff's Motion for TRO and Preliminary Injunction is DENIED.

It is so ORDERED.

JUL 02 2018

Date




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The Honorable Alfred H. Bennett  
United States District Judge